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April 14, 2025

**BY ECF**

Honorable Ronnie Abrams  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: Real Estate Board of New York, Inc., et al. v. City of New York, et. al.,  
24-CV-9678 (RA)

Your Honor:

I am an Assistant Corporation Counsel and one of the attorneys representing defendants City of New York and New York City Department of Consumer and Worker Protection (“DCWP”) Commissioner Vera Mayuga in the above-referenced matter. I write, pursuant to Your Honor’s April 8, 2025 Order (Dkt. Entry 48), to inform the Court that Defendants do not seek an evidentiary hearing on Plaintiffs’ preliminary injunction motion. It is Defendants’ position that, as a matter of law, Plaintiffs do not establish any of the criteria for a preliminary injunction and, thus, the motion should be denied.<sup>1</sup>

Respectfully submitted,

Jessica Katzen  
Assistant Corporation Counsel

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<sup>1</sup> While defendants do not believe an evidentiary hearing is needed, we note for the Court that Plaintiffs’ submission of REAL NY exclusive right to rent agreements for the first time on reply is improper and those contracts should not be considered. Further, such contracts post-date the enactment of the challenged law and cannot be relied upon for the purpose of showing irreparable harm based on an alleged Contract Clause violation.

To: **VIA ECF**  
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